

14230 U.S. PTO  
08/25/03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Docket No. 26967-CON

Anticipated Classification of  
this application: Class       

Prior Application:

Examiner: S. Clark

Art Unit: 2815

**MAIL STOP CONTINUATION  
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DATE OF DEPOSIT: August 25, 2003

NAME: Justin Goree

SIGNATURE: Justin Goree

22389 U.S. PTO  
10/647674  
08/25/03

Sir:

This is a request for filing a ☒ Continuation application under 37 CFR 1.53(b)

of pending prior application Serial No. 10/053,239 filed on  
January 15, 2002 of Ammar  
(date) (inventor currently of record in prior application)

for MILLIMETER WAVE (MMW) TRANSCEIVER MODULE WITH TRANSMITTER, RECEIVER  
AND LOCAL OSCILLATOR FREQUENCY MULTIPLIER SURFACE MOUNTED CHIP SET  
(title of invention)

- ☒ Enclosed is a copy of the prior application, including the oath or declaration as originally filed and an affidavit or declaration verifying it as a true copy.
- ☐ Prepare a copy of the prior application.
- ☒ A Preliminary Amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
- ☒ The filing fee is calculated below:

**CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS CANCELED BY AMENDMENT BELOW:**

	(Col. 1)		(Col. 2)		SMALL ENTITY			LARGE ENTITY	
FOR:	# FILED		# EXTRA		RATE	FEE		RATE	FEE
BASIC FEE						\$ 375	<u>OR</u>		\$ 750
TOTAL CLAIMS	20	-20	-0-		X 9	\$ -0-	<u>OR</u>	X 18	\$
INDEP CLAIMS	4	-3	1		X 42	\$ 42	<u>OR</u>	X 84	\$
[ ] Multiple Dependent Claim Presented						\$	<u>OR</u>		
* If the difference in Col. 1 is less than "0", enter "0" in Col. 2.					TOTAL	\$ 417		TOTAL	\$

5. ☒ Enclosed is a check for the filing fee in the amount of \$ 417.00 . If any additional extension and/or fee is required, or if any additional fee for claims is required, charge Deposit Account No. **01-0484**.
6. ☒ Cancel in this application original Claims 1-20 of the prior application before calculating the filing fee.
7. ☒ Amend the specification by inserting before the first line the sentence:  
—This application is a continuation of Serial No. 10/053,239 filed January 15, 2002, which is based on provisional patent application Serial No. 60/292,389 filed May 21, 2001, the disclosure of which is hereby incorporated by reference in its entirety.—
8. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by Rule 138 and before payment of base issue fee.)
- 9a. ☒ Formal drawings are enclosed.
- 9b. ☐ Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119. (country)
- 9c. ☐ The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_.
10. ☒ The prior application is assigned of record to **XYTRANS, INC.**
11. ☒ Citation Under 37 CFR 1.97 and PTO-1449.
12. ☒ The power of attorney in the prior application is to:  
Richard K. Warther, Reg. No. 32,180, et al, Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A., 255 South Orange Avenue, Suite 1401, Orlando, Florida 32801  
(name, registration number and address)
- a. ☒ The power appears in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☒ **ADDRESS ALL CORRESPONDENCE TO ATTORNEY OF RECORD**
- RICHARD K. WARTHER**  
**Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A.**  
**P.O. Box 3791**  
**Orlando, FL 32802-3791**
13. ☒ Small entity status of this application under 37 CFR 1.27 has been previously established.
14. ☒ I hereby verify that the attached papers are a true copy of prior application Serial No. 10/053,239 as originally filed on January 15, 2002 .

The undersigned declare(s) further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

[X] Associate this file with Customer No. 29773



29773

PATENT TRADEMARK OFFICE

August 25, 2003  
Date

**RICHARD K. WARTHER**  
**Registration No. 32,180**  
**ALLEN, DYER, DOPPELT, MILBRATH**  
**& GILCHRIST, P.A.**  
Post Office Box 3791  
Orlando, Florida 32802-3791  
(407) 841-2330  
Attorney or agent of record

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: )  
**AMMAR** )  
Serial No. **Not Yet Assigned** ) Continuation of SN  
Filing Date: **Herewith** ) 10/053,239 filed  
For: **MILLIMETER WAVE (MMW)** ) 01/15/2002  
**TRANSCIVER MODULE WITH** )  
**TRANSMITTER, RECEIVER AND** )  
**LOCAL OSCILLATOR FREQUENCY** )  
**MULTIPLIER SURFACE MOUNTED** )  
**CHIP SET** )

TRANSMITTAL OF FORMAL DRAWINGS

Mail Stop Continuation  
Commissioner For Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed are eleven (11) sheets of formal drawings to be  
filed in the above-identified patent application.

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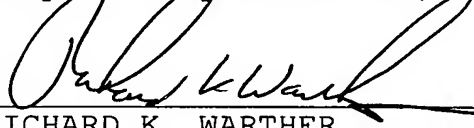
EXPRESS MAIL NO: EV 322683083 US

DATE OF DEPOSIT: August 25, 2003

NAME: Justin Goree

SIGNATURE: Justin Goree

Respectfully submitted,

  
\_\_\_\_\_  
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